

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

MARK A. RUDOLPH,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:05cv474-C
)	(WO)
JO ANNE B. BARNHART)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

On May 20, 2005, the plaintiff filed his complaint in this court. On May 31, 2005, the court entered a scheduling order directing the plaintiff to file a brief no later than 40 days after the defendant filed her answer. *See* Doc. # 4. The defendant filed an answer on August 30, 2005. *See* Doc. # 11. Although, the plaintiff's brief was due on October 11, 2005,¹ to date, the plaintiff did not file a brief. The court ordered the plaintiff to show cause why this case should not be dismissed for want of prosecution. On November 15, 2005, the plaintiff filed a response to the court's order asserting that he was *pro se* but attempting to secure representation in this matter. While the plaintiff refers to securing representation, the court reminds the plaintiff that only attorneys are permitted to represent individuals in this court. Thus, the plaintiff is advised that he may be represented in this action only by a duly licensed attorney.

¹ Technically, the plaintiff's brief was due on October 10, 2005. However, because October 10, 2005 was a federal holiday, Columbus Day, his brief was due the next business day, October 11, 2005.

Nonetheless, the court concludes that it is appropriate to permit the plaintiff an opportunity to secure counsel to represent him in this matter. Accordingly, upon consideration of the plaintiff's response to the court's order, it is

ORDERED that the plaintiff shall have **thirty (30) days** from the date of this order to secure counsel. It is further

ORDERED that counsel shall file a notice of appearance on the plaintiff's behalf on or before **December 19, 2005**.

Done this 21st day of November, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE